

**CHAPTER 23-06.3**  
**UNIFORM DETERMINATION OF DEATH ACT**

**23-06.3-01. Determination of death.**

An individual who has sustained either irreversible cessation of circulatory and respiratory functions or irreversible cessation of all functions of the entire brain, including the brain stem, is dead. A determination of death must be made in accordance with accepted medical standards.

**23-06.3-02. Notice to family in case of imminent death.**

If it appears to a physician who has primary responsibility for the treatment and care of an individual that the death of the individual is imminent, the physician shall make reasonable efforts to notify the individual's next of kin. If after making reasonable efforts the next of kin are not notified, the physician shall document in the medical records of the individual the efforts made to notify the next of kin. If notice is given, the physician shall provide the next of kin with appropriate information regarding the individual's medical condition and available medical therapies.